

REMARKS

Applicant respectfully requests reconsideration of this application in view of the foregoing amendment and following remarks.

Status of the Claims

Claims 41-51 are pending in this application. Claims 41 and 51 are independent. By this amendment, independent claims 41 and 51 are amended. No new matter has been added by this amendment.

Rejection under 35 U.S.C. §103

Claims 41 and 43-51 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,710,807 to Yamagishi ("Yamagishi") in view of U.S. Patent No. 5,398,119 to Suzuki et al. ("Suzuki").

In response to Applicant's arguments filed on March 2, 2005, the Examiner indicated that the NORMAL continuous mode of Yamagishi reads on the claims. Independent claims 41 and 51 have been amended for further clarification. In particular, amended claim 41 recites, *inter alia*, "a second controller adapted to stop overwriting a new first signal in the storage area when a capturing operation of a second signal is designated after the new first signal begins to overwrite in the storage area." Claim 51 has been amended in a similar manner to claim 41.

Referring to Fig. 3 of the present application, when the user turns on SW2 designating actual photographing at t_6 while the writing of the dark current noise component begins at t_5 , the control unit of the image sensing apparatus of the present invention cancels the writing of the

dark current noise and begins to write the image signal thereby reducing the lag time to write the image signal. The correction unit then corrects the image signal using a dark signal stored stored most recently, i.e., without performing another dark image capturing after the image signal is stored. See, also, the first full paragraph of page 27 (i.e., lines 1-13) of the original specification.

In contrast, in Yamagishi, if the dark capture process is suspended to begin the writing of the image signal, the dark capture process is performed after the image sensing. The correction is performed using the dark image signal captured after the image signal. See, for example, Figs. 9 and 13 along with col. 18, lines 14-23 of Yamagishi.

Suzuki is cited as disclosing a variation of the memory device, and fails to show or suggest the aspect of the invention as discussed above.

Accordingly, each of claims 41 and 51 as amended is believed to be neither anticipated by nor rendered obvious in view of the cited references (i.e., Yamagishi and Suzuki), either taken alone or in combination, for at least the reasons discussed above.

Reconsideration and withdrawal of the rejections of claims 41 and 51 under 35 U.S.C. §103(a) is respectfully requested.

Applicant has not individually addressed the rejections of the dependent claims because Applicant submits that the independent claims from which they respectively depend are in condition for allowance as set forth above. Applicant however reserves the right to address such rejections of the dependent claims should such be necessary.

Applicant believes that the application as amended is in condition for allowance and such action is respectfully requested.

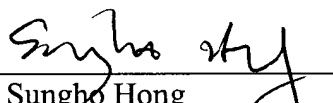
AUTHORIZATION

No petitions or additional fees are believed due for this amendment and/or any accompanying submissions. However, to the extent that any additional fees and/or petition is required, including a petition for extension of time, Applicant hereby petitions the Commissioner to grant such petition, and hereby authorizes the Commissioner to charge any additional fees, including any fees which may be required for such petition, or credit any overpayment to Deposit Account No. 13-4500 (Order No. 1232-4735). A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,
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